HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI
AND
HON'BLE SHRI JUSTICE G. V. SEETHAPATHY

Writ Petition No.7624 of 2002

Between:

Seven Hills Hospitals, rep. by its
Managing Director, Dr. Jitendradass Maganti. … Petitioner.

AND

State of Andhra Pradesh,
rep. by its Principal Secretary to Government,
Revenue Department, Secretariat,
Hyderabad & others. … Respondents.

::O R D E R ::

Counsel for the Petitioner : Sri Vedula Srinivas

Counsel for the Respondents : Government Pleader for Revenue

5th JUNE 2006

Per G.S. Singhvi, C.J.

In this petition, the petitioner has prayed for striking down Section 22-A of the Registration Act, 1908 (for short, 'the Act'), which was inserted by the Andhra Pradesh Amendment Act No.4 of 1999, Andhra Pradesh Registration (Prohibition of Registration of Certain Documents opposed to public policy) Rules, 1999 (for short, 'the Rules') and Notification contained in G.O.Ms.No.657, Revenue (Registration I) Department, dated 8-10-2001, and for issue of a mandamus to District Registrar, Visakhapatnam and officers subordinate to him to release the documents pertaining to the sale of flats in Sri Soundarya Apartments, Waltair Ward, Rockdale Layour,

Visakhapatnam.

Learned counsel for the parties agree that the writ petition be disposed of in terms of order dated 7-12-2005 passed in Writ Petition No.14099 of 2003 and batch.

In view of the agreed statement made by the learned counsel for the parties, the writ petition is allowed. Section 22-A of the Act as inserted by the Andhra Pradesh Amendment Act No.4 of 1999 is declared unconstitutional and struck down. Consequently, the Rules and Notification dated 8-10-2001 are also struck down.

The detailed reasons recorded in order dated 7-12-2005 in Writ Petition No.14099 of 2003 shall be read as part of this order.

G.S. SINGHVI, C.J.

5th June, 2006.

G. V. SEETHAPATHY, J.

ARS